

**LEGISLATIVE SERVICES AGENCY  
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**FISCAL IMPACT STATEMENT**

**LS 6810**

**BILL NUMBER:** HB 1408

**NOTE PREPARED:** Dec 27, 2006

**BILL AMENDED:**

**SUBJECT:** Vehicle Equipment Violations.

**FIRST AUTHOR:** Rep. Pond

**FIRST SPONSOR:**

**BILL STATUS:** As Introduced

**FUNDS AFFECTED:** ☒ **GENERAL**  
☒ **DEDICATED**  
☐ **FEDERAL**

**IMPACT:** State & Local

**Summary of Legislation:** The bill provides that operating a vehicle that does not meet a requirement of the law concerning head lamps, tail lamps, stop lamps, and other equipment is a Class D infraction (rather than a Class C infraction).

It also provides that an individual who receives a citation for operating a vehicle that does not meet a requirement of the law concerning head lamps, tail lamps, stop lamps, and other equipment does not commit an infraction if, not more than seven days after the date on which the citation is issued, the individual provides written proof to the police department of the police officer who issued the citation that the equipment violation on which the citation was based has been repaired. It also makes conforming changes.

**Effective Date:** July 1, 2007.

**Explanation of State Expenditures:**

**Explanation of State Revenues:** Revenue to the state General Fund could be reduced if an infraction is changed from Class C to Class D. The maximum judgment for a Class C infraction is \$500, while the maximum judgment for a Class D infraction is \$25. Proceeds from infraction judgments are deposited in the state General Fund. Additionally, violators may avoid judgements and court costs by providing proof to the police department that the equipment has been repaired.

On average between 2000 and 2004, there were 1,234 people a year found guilty of an improper head light and 1,574 people found guilty of an improper tail light. There is no information on the other violations under the chapter. If all of these offenders had been fined at the maximum judgment of \$500 for the Class C

infraction, but instead would be fined at the maximum for a Class D infraction of \$25, revenue to the state General Fund would decrease by \$1.3 M.

There is no information available to estimate how many violators may repair equipment and thereby avoid judgements of \$25 and court fees of \$70.

Seventy percent of court fees are deposited in the state General Fund if the case is filed in a court of record or 55% if the case is filed in a city or town court. In addition, some or all of the judicial salaries fee (\$15), the public defense administration fee (\$3), the court administration fee (\$2), and the judicial insurance adjustment fee (\$1) are deposited into the state General Fund.

**Explanation of Local Expenditures:**

**Explanation of Local Revenues:** If fewer judgments are entered, local governments would not receive revenue from the following sources. The county general fund receives 27% of the \$70 court fee that is assessed in a court of record. Cities and towns maintaining a law enforcement agency that prosecutes at least 50% of its ordinance violations in a court of record may receive 3% of court fees. If the case is filed in a city or town court, 20% of the court fee is deposited in the county general fund and 25% is deposited in the city or town general fund. Additional fees may be collected at the discretion of the judge and depending upon the particular type of case.

**State Agencies Affected:**

**Local Agencies Affected:** Trial courts, local law enforcement agencies.

**Information Sources:**

**Fiscal Analyst:** Karen Firestone, 317-234-2106.